DADER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE E/S Middletown Road, 1,000' N

> of Beckleysville Road (20221 Middletown Road) 6th Election District 3rd Councilmanic District

Faye Therit Petitioner

- BEFORE THE
- * ZONING JOMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 99-167-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Faye Therit. The Petitioner seeks relief from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum allowed 15 feet for a proposed 24' x 40' x 15' storage shed. The subject property and relief sought are more particularly described on the site plan submitted with the Petition and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November, 1998 that the Petition for Administrative Variance seeking relief from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum allowed 15 feet for a proposed 24' x 40' x 15' storage shed, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

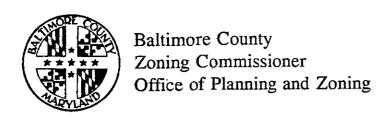
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING ORDER



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

November 18, 1998

Ms. Faye Therit 20221 Middletown Road Freeland, Maryland 21053

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Middletown Road, 1,000' N of Beckleysville Road

(20221 Middletown Road)

6th Election District - 3rd Councilmanic District

Faye Therit - Petitioner

Case No. 99-167-A

Dear Ms. Therit:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: People's Counsel

#ile



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

20221 Middlefonn Rd.

which is presently zoned RC.

This Petition shall be filed with the Dept. of Permits & Development	Management			
he undersigned, legal owner(s) of the property situate in Baltimore County	and which is deep	ibed in the desc	ription a	nd plat attached
hereto and made a part hereof, hereby petition for a Variance from Section(s)	Spetion	400.2	+0	permit

an accessory structure height of 20 th in lieu of required 15 H.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

THE STORAGE BUILDING WILL CONTAIN AN RY WHICH HAS AN OVERALL HEIGHT OF 12'1" - THE DOOR ENTRY MUST BE 14' THUS MAKING THE SIDE WALL HEIGHT OF BUILDING 15' WITH ROOF HEIGHT APPROX TOTAL HEIGHT OF 20'

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			legal owner(s) of the property which is the	e subject of this Petition	
Contract Purchaser/Lessee			Legal Owner(s)		
(Type or Print Name)			TAYE THERE (Type or Print Name) Jaye A	then it	
Signature			Signature	with	
Address			(Type or Print Name)		
City Attorney for Petitioner	State	Zipcode	Signature	410 357-8768	8 da
(Type or Print Name)			20221 Mic	ddletown Rd.	nigh
Signature			FREELAND NO.	7d. 21053 State Zipcode	,
Address	Phone	No	Name		
City	State	Zipcode	Address	Phone No	
				•	

A Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County. this _ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Battimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY BL DATE 10/16/14 ESTIMATED POSTING DATE: 11/25/98



Printed with Soybean Ink on Recycled Paper

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at _	20221	Mia	dETO.	WN Ro	<u>.</u>
That the Affiant(s) does/do presently reside at	FREELA	ND	Md.	2	1053
_	City		State		Zip Code
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or p	ring are the facts upo	on which I	we base the re	equest for an A	dministrative
I NEED A BUILDI.	NG WITH	_ A_	DOOR	THAT	OPENS
TO A HEIGHT OF 1	4' THUS	m	AKING	THE	HEIGHT
TO THE PEAK OVER	2 B.C.	11 m/	TOF	15'	
	•	······································			
					· · · · · · · · · · · · · · · · · · ·
	······································			***	***************************************
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information Taye THERIT The or poor name:	n. OR OR	(a)	gnature)	eposting and ac	ertising fee and
STATE OF MARYLAND, COUNTY OF BALTIS	MORE to wit	, (th)	be or print name)		
I HEREBY CERTIFY. this day of of Maryland, in and for the County aforesaid, per	Schology sonally appeared		98, before	me, a Notary I	Public of the State
Faye	Le Théri	(
he Affiants(s) herein, personally known or satisfa hat the matters and facts hereinabove set torth at	ictorily identified to	me as suc			
AS WITNESS my hand and Notarial Seal 101598		lu	wer	Don	<u></u>
tate	NOTAI My Comi	ry Püblic mission E	xpires:	1,100	_

99-167- A

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	20221	Middle	toNN R.	1
That the Affiant(s) does/do presently reside at	PEELA	ND M	1 d.	21053
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or	wing are the facts up	pon which I/we ba	se the request	for an Administrative
I will NEED A B	UILDING	WITH A	OOOR	OPENING
OF 14' MAKING	OVERALL	HEIGI	47 8F	BUILDING
MORE THAN 15'				
			_	
	•			
		· · · · · · · · · · · · · · · · · · ·		
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information of the superscript of the su	on. OPL CO	(signature))	ng and advertising fee and
STATE OF MARYLAND, COUNTY OF BALTI				
I HEREBY CERTIFY, this \(\sum_{\text{this}} \) day of of Marvland, in and for the County aforesaid, per	rsonally appeared		, before me, a	Notary Public of the State
F	ay 6 Li	thent		
the Affiants(s) herein, personally known or satisf that the matters and facts hereinabove set forth a	V factorily identified t	o me as such Affi:	antt(s), and ma her/their know	ide oath in due form of law riedge and belief.
AS WITNESS my hand and Notarial Seal	···	au	ile d	Dan
date	NOT	ARY PUBLIC		.6
	My Co	mmission Expires	· ` [[[[[[טי



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the propert	, 2000000000000000000000000000000000000		Middletown	r-01.	
			hich is presently		RC-
This Petition shall be filed with the Dept. The undersigned, legal owner(s) of the prohereto and made a part hereof, hereby petiti	narty cituata in Baltima	en County and which	بدائد بمنافرت المحماليت وبالمراد	scription an	d plat attached
hereto and made a part hereof, hereby petiti accessory structure	height of	20 H. 1	lieu of	the.	required
12 411					
of the Zoning Regulations of Baltimore Cour practical difficulty)					
			HOUSE A		
15 12' I" IN HEIGHT	REQUIR	EING A	N ENTRAK	CE	DOOR OF
14' Making ou.	ERALL HE	EIGHT OF	= BUILDI	NG	IN EXC
OF 15' [HEIGHT				4 20	1)
Property is to be posted and adve I, or we, agree to pay expenses of above Vibe bound by the zoning regulations and res	ariance advertising, pos	sting, etc., upon filin	of this petition, and fu	rther agree for Baltimore	to and are to e County.
	•	I/We do solemnly de	clare and affirm, under the per property which is the subject of	naities of perjuny this Petition	y that I/we are the
Contract Purchaser/Lessee	•	I/We do solemnly de legal owner(s) of the Legal Owner(s)	rctare and affirm, under the per property which is the subject of	naities of perjury this Petition	/ that I/we are the
		legal owner(s) of the	property which is the subject of	nalties of perjun this Petition	r that I/we are the
	•	legal owner(s) of the	property which is the subject of	naities of perjury this Petition	r that I/we are the
Contract Purchaser/Lessee (Type or Print Name) Signature		legal owner(s) of the	colare and affirm, under the per property which is the subject of IE THERIT	naities of perjury this Petition	r that I/we are the
Type or Print Name) Signature		legal owner(s) of the	property which is the subject of	naities of perjury this Petition	r that I/we are the
Type or Print Name) Signature	Zipcode	legal owner(s) Legal Owner(s) (Type or Print Name) Signature	property which is the subject of	naities of petjury	that I/we are the
Type or Print Name) Bignature Address	Zipcode	legal owner(s) Legal Owner(s) (Type or Print Name) Signature Signature	property which is the subject of	this Petition	
Type or Print Name) Signature Address Dity State	Zipcode	legal owner(s) Legal Owner(s) (Type or Print Name) Signature Signature	property which is the subject of	this Petition	118 57-8168
Type or Print Name) Signature Address Dity State	Zipcode	Iegal Owner(s) FAY (Type or Print Name) Signature Signature Signature	property which is the subject of	This Petition	118 57-8168
Type or Print Name) Signature Address City State Attorney for Petitioner Type or Print Name)	Zipcode	Iegal Owner(s) Legal Owner(s) (Type or Print Name) Signature Signature Address Legal Owner(s) Address	property which is the subject of	2/ 3/ Phon	110 57-8768 e No 2053
Type or Print Name) Signature Address Sity State		Iegal Owner(s) Legal Owner(s) (Type or Print Name) Signature Signature Address Legal Owner(s) Address	THERIT IN Addle Forward Reserved And Med. Steel	2/ 3/ Phon	110 57-8768 e No 2053

that the subject matter of this petition be set for a public hearing, advertised as required by the Laning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County



ESTIMATED POSTING DATE:



Printed with Soybean tak on Recycled Paper







This Deed, made this 201H day of September, in the year one thousand nine hundred and sixty-eight (AD 1968), by and between Joseph K. Walker and Jewell M. Walker, his wife, of the first part, Grantors and Charles William Therit and Faye Lee Therit, his wife, of the second part, Grantees, all parties being of Baltimore County, in the State Of Maryland.

witnesseth that in consideration of the sum of Five Dollars (\$5.00), and other good and valuable consideration, the receipt of
which is hereby acknowledged, the said Joseph K. Walker and Jewell
M. Walker, his wife, do grant and convey unto the said Charles William Therit and Faye Lee Therit, his wife, their heirs and assigns,
the survivor of them and the heirs and assigns of such survivor, in
fee simple, all that parcel of ground situate, lying and being in the
6th District, County of Baltimore, State of Maryland and described as
follows, that is to say:-

Beginning for the first and being at a bounded Spanish Oak standing at the end of the first line of the whole tract, thence bounding on the outlines of the whole tract with one and one-fourth degrees allowance for return variation the two following courses, to wit: North 88-3/4th degrees West twenty-one (21) perches to a stone, South 69-1/4th degrees West three and one-half (3-1/2) perches to the Old Baltimore and York Road leading through Middletown, thence bounding on said road the following course, South 23-1/2 degrees East twelve and four-tenths (12.4) perches until it intersects the second line of a deed formerly given by Adam Nace to Michael Ulrich as run with one and one-half degrees allowance for return variation, thence bounding on said line reversely with said allowance, North 67-1/4th degrees East twenty-two and one-fourth (22-1/4) perches until it intersects the first line of the whole tract, thence North 21-1/2 degrees West three and one-fourth (3-1/4th) perches to the first place of beginning; containing one acre and twenty-seven perches of land, more or less.

Being the first tract only described in a deed dated May

19th, 1962, and recorded among the Land Records of Baltimore County

in Liber W.J.R.No. 3992 folio 379, from Elva G. Young, unmarried to

Joseph K. Walker and Jewell M. Walker, his wife.

Together with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise appertaining.

To Have And To Hold the said tract of ground and premises above described and mentioned and hereby intended to be conveyed,

...<u>9</u>-5-4

70000

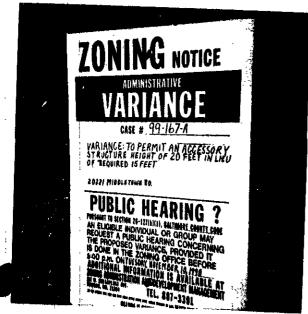
#167

	MASS/1998 ID-16/1995 IS-13-05 RELIEU CASHER DAN DA HANDE	Parist I State William William Control of the Contr	Satisfe frate States	< ·	49.101.4	CASHER'S VALIDATION
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COUNTY GET & FI OUS RE	16/97		Faye	,		PINK - AGENCY
BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	16/1		ę l	0/0		DISTRIBUTION WHITE - CASHIER
BALT OFFIC MISC	DATE		RECEIVED FROM:	. FOR	1	DISTRIBUTION WHITE - CASH

CERTIFICATE OF POSTING

ADMIN. YAR.

RE:	Case No.: 99-167-A
	Petitioner/Developer:
	Date of Hearing/Closing: 11/10/98
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perjury were posted conspicuously on the property located a	
The sign(s) were posted on(Mon	/25/98 th, Day, Year)
•	Sincerely,



20221 MIDDLETOWN Rel

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address) HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD	JABLON,	DIRECTOR
For newspaper advertising:			***************************************
Item No.: 167			
Petitioner: <u>Faye</u> <u>Therit</u> Location: <u>2022</u> , Middletoma			
Location: 20221 Middletown	Re.	True	land Md.
PLEASE FORWARD ADVERTISING BILL TO:			
NAME: <u>Fays Therit</u> ADDRESS: 2022/ Middle Your Rl	····		
ADDRESS: 20221 Middle Your Rd	•		
- Freeland Md. 210.	53		
PHONE NUMBER: 410 357 - 8768			

AJ:ggs

(Revised 09/24/96)

99-167-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 167 -A Address 2021 Middletown Rd.
Contact Person: Bruno Rudaitis Phone Number: 410-887-339
Filing Date: 10/16/48 Posting Date: 10/25/48 Closing Date: 11/9/98
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. An reposting must be done only by one of the sign posters on the approved list and the petitione is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 99- 167 -A Address 20221 Middle town Rd.
Petitioner's Name Faye Therit Telephone 410-357-2768
Posting Date: 10 25 98 Closing Date: 11 9 98
Nording for Sign: To Permit an accessory structure height of 20 ft.
in lieu of the required 15 ft.



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

OCTOBER 29, 1998

Arnold Jablen, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 31204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCTOBER 26, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

153, 154, 155, 158, 161, 162, 163, 164, 166, 167 AND 170

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

co: File

BALTIMORE COUN

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley RANJUY
Permits and Development Review

SUEJECT:

Zaning Advisory Committee

Meeting Date: 10/26/

The Department of Environmental Protection & Resource Management has no Comments for the following Zoning Advisory Committee Items:

allitual Items.

Itam #'s:

RBS:sp

BRUCEZ/DEPRM/TXTSBP



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

David L. Winstead Secretary

Parker F. Williams Administrator

10.27.91 Date:

M٠ Stephens RE:

Baltimore County

Ba. ounty Office of Item No. 167

BR

... Development Management Pc: C_{0} Thee Building, Room 109

To . Maryland 21204

Dcatephens:

and we have no objection to

s it does not access a State roadway and is not affected by any State ap:

Hi \dministration projects.

should you have any questions regarding this matter, please contact Larry Gredlein at 410 118 5006 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: October 26, 1998

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 146, 153, 154, 155, and (167)

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Jeffry W. Long

Section Chief:

AFK/JL



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

November 17, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED JAN 0 6 2000

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 1, 1999

Item No.: See Below

Dear Ms. Stephens:

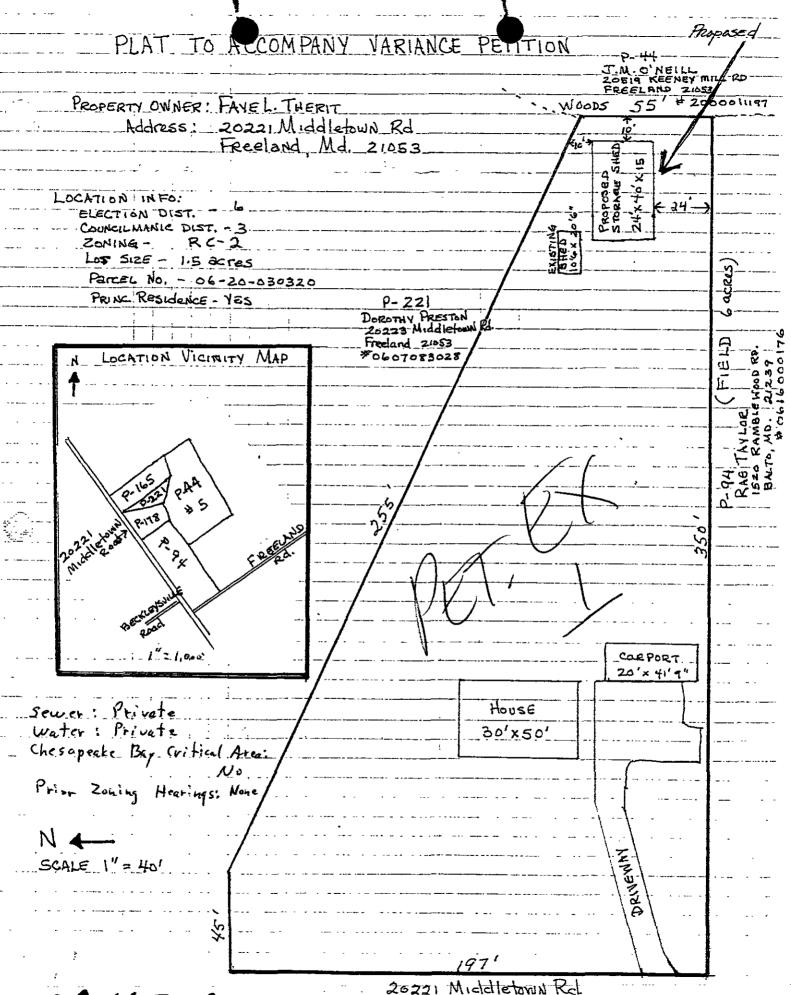
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

155, 156, 157, 158, 159, 160, 161, 162, 163, 167, 168, and 171

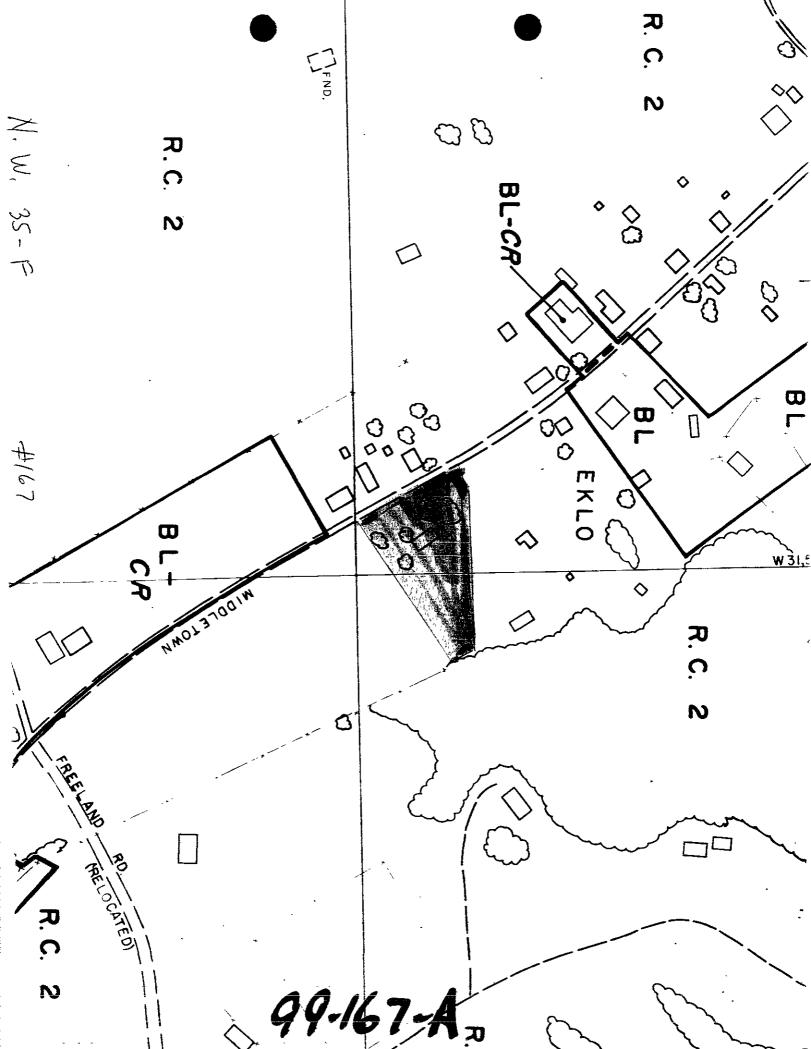
REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

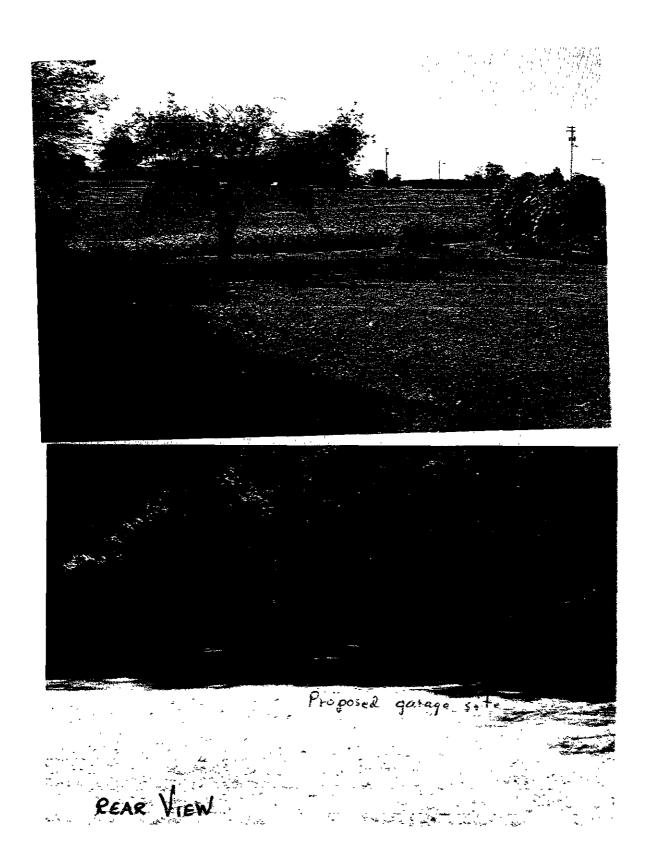


99.167-A

#167







99.167.A

